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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/322,114	05/27/1999	KENNETH ARAUJO	2108-US	7524
56436	7590	06/07/2006	EXAMINER	
3COM CORPORATION 350 CAMPUS DRIVE MARLBOROUGH, MA 01752-3064			VU, THONG H	
			ART UNIT	PAPER NUMBER
			2142	

DATE MAILED: 06/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/322,114

Applicant(s)

ARAUJO, KENNETH

Examiner

Thong H. Vu

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2006.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-45 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. This office action is in response to Application filed 03/04/2003. Claims 1-45 are pending. The rejection is cited as stated below.
2. The drawing of Fig 6 was informal (i.e.: handwriting).

Response to Arguments

3. Applicant's arguments filed 4/18/06 have been fully considered but they are not persuasive to overcome the prior art.

A. Applicant argues the prior art does not teach or suggest "a controller informing (i.e.: register) a first device of the network address of a second device"

Examiner point outs the prior art taught the Internet Service Provider network (ISP) with dynamic home address resolution wherein the Heartbeat message contain source and destination address information for registration [Khali, col 8 lines 5-65]. It was clearly that the heartbeat message informed the address of the first (mobile device) to the second device (i.e.: home device).

B. Applicant argues the prior art does not teach or suggest "dynamic IP address is assigned to a device"

Examiner point outs the prior art taught dynamic home address resolution [Khali, col 7 lines 37-67]

C. Applicant argues the combination of the prior art (Khali-Pickett) is contra-indicated.

Examiner point outs the prior art taught the Internet Service Provider network [Khali, Fig 11] using Virtual Distributed Home Agent Protocol architecture [Khali, VDHP, col 7 lines 25-35] and Virtual private network or Intranet [Pickett, VPN, col 35

lines 40-50]. It was clear that Khali-Pickett taught the Internet environment and the combination is appropriate. There is no contra-indicated found.

The rejection is sustained.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-45 are rejected under 35 U.S.C. § 103 as being unpatentable over Khalil et al [Khalil 6,430,698 B1] in view of Pickett [6,154,465].

5. As per claims 1,9,18,26,36,42 Khalil discloses a dynamic network address registration system [Khalil, dynamic home agent discovery resolution, registration request and replies, col 3 line 59-col 4 line 21], comprising:

a first device; a second device, said first device and said second device adapted to communicate via a communications network [Khalil, the mobile nodes, Internet and home agent, Fig 9-11, col 7 lines 25-35]; and

a controller coupled to said communications network, said controller adapted to store address information for said first device therein, said controller adapted to store address information for said second device therein [Khalil, home agent's IP addresses, col 7 lines 37-col 8 line 24], said controller further adapted to provide said address information of said second device to said first device such that a communication path can be efficiently established between said first device efficiently communication [Khalil,

col 6 line 63-col 7 line 13] and said second device which is equivalent to a address management circuit [Khalil, home agent with dynamic home agent address resolution algorithm, col 7 lines 37-67] and

However Khalil does not explicitly detail the operation includes a search engine for searching source and destination addresses, static or dynamic, for the internetworking devices.

In the same endeavor, Pickett discloses a VPN or Internet environment using the connection manager and search parameters to establish an efficient channel [Pickett, VPN, col 35 line 40-col 36 line 25; connection manager, search parameters, col 43 lines 25-52; efficient channel, col 44 lines 25-45]

Therefore it would have been obvious to an ordinary skill in the art at the time the invention was made to incorporate the search engine or search parameters as taught by Pickett into the Khalil's apparatus in order to utilize the dynamic home address resolution algorithm. Doing so would provide efficient communications over virtual network.

6. As per claims 2,14,19, Khalil-Pickett disclose said communication path is efficiently established between said first device and said second device without requiring said first device and said second device to have static addresses as a design choice.

7. As per claims 3,15,20,32,38 Khalil-Pickett disclose said controller is adapted to establish a virtual private network (VPN) between said first device and said second device via said communications network such as Internet as inherent feature of IP address.

8. As per claims 4,21,37 Khalil-Pickett disclose said first device, said second device, and said controller are further adapted to be coupled to a second communications network [Khalil, home agent is a router included NAT, col 1 lines 48-55. It was obvious the router connected to a second network].

9. As per claims 5,10,22,27 Khalil-Pickett disclose said controller is adapted to inform said first device, via said second communications network, as to whether or not said second device is coupled to said communications network as a design choice.

10. As per claims 6,12,23,33 Khalil-Pickett disclose said controller is adapted to instruct said second device, via said second communications network, to couple to said communications network [Khalil, Internet, Fig 11].

11. As per claims 7,16,24,34 Khalil-Pickett disclose said communications network is the Internet or WAN [Khalil, Internet, Fig 11].

12. As per claims 8,17,25,35 Khalil-Pickett disclose said second communications network is a circuit switched network [Pickett, ISDN, col 12 lines 13-35].

13. As per claims 28, 29 Khalil-Pickett disclose said communication network includes an integrated services digital network (ISDN) basic rate interface (BRI) for connectivity to a wide area network and an always on dynamic ISDN feature is supported for said ISDN BRI; said network devices are adapted to establish a network connection via a D channel of said ISDN BRI and receive an assignment of a dynamic network address which said network device then provides to said dynamic network address registration system via a B channel of said ISDN BRI as a design choice of internetworking devices [Pickett, ISDN, col 12 lines 13-35].

14. As per claims 30-31 Khalil-Pickett disclose said network devices is a router; said network devices is a NAT [Khalil, home agent is a router included NAT, col 1 lines 48-55].

15. As per claim 39, Khalil-Pickett disclose said communication frame analysis component determines if a communication frame includes information to be mapped in said address mapping component [Khalil, home agent is a router included NAT, col 1 lines 48-55].

16. As per claim 40, Khalil-Pickett disclose said communication frame analysis component determines if a communication frame is requesting information from said address mapping component; said communication frame analysis component extracts information identifying a desired location from a communication frame as inherent feature of router.

17. As per claims 43-45 Khalil-Pickett disclose storing in said dynamic network address registration system information regarding the association of a device and a dynamic network address assigned to said device; forwarding to said network device a network address associated with dynamic network address registration system; polling said dynamic network address registration system to determine if there are updates to information regarding a registered dynamic address such as router [Khalil, home agent is a router, col 1 lines 48-55; dynamic home agent discovery resolution, registration request and replies, col 3 line 59-col 4 line 21].

Thus, as explained above, the system and method of claims 1-45 is anticipated by the prior art.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (571)-272-3904. The examiner can normally be reached on Monday-Thursday from 6:00AM- 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Andrew Caldwell*, can be reached at (571) 272-3868. The fax number for the organization where this application or proceeding is assigned is 703-872-9306

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval IPAIRI system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thong Vu
Primary Examiner
Art Unit 2142

A handwritten signature in black ink, appearing to read 'Thong Vu', with a horizontal line underneath.